

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office JAN 5 1976

Returned to applicant for correction.....

Corrected application filed.....

Map filed September 9, 1974 under 28654The applicant MORRIS DeLEE2645 South Yates Street, of Los Angeles,  
Street and No. or P.O. Box No. City or TownCalifornia 90040, hereby make<sup>S</sup> application for permission to appropriate the public  
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is underground source -- Amargosa  
Name of stream, lake or other source.  
Valley Basin

2. The amount of water applied for is 2.7 second-feet  
One second-foot equals 448.83 gals. per min.  
(a) If stored in reservoir give number of acre-feet.....acre-feet

3. The water to be used for irrigation and domestic purposes.  
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....160 acres

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: within the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of  
Section 26, Township 16 South, Range 48 East, M.D.B.&M., at a point  
which bears South 45° 00' West a distance of 150.0 feet from the  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,  
Northeast corner of the Southeast Quarter of said Section 26.  
it should be stated.

6. Place of use within the SE $\frac{1}{4}$  of Section 26, Township 16 South,  
Describe by legal subdivision, if on unsurveyed land it should be so stated.  
Range 48 East, M.D.B.&M.

7. Use will begin about January 1 and end about December 31, of each year.  
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, casing, pump and distribution  
pipelines.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works \$4,000.00
10. Estimated time required to construct works Two (2) years
11. Estimated time required to complete the application to beneficial use Three (3) years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant MORRIS DeLEE

By s/ Peter L. Knight  
Peter L. Knight, Agent  
P. O. Box 1271

Compared lk/ga lk/ga  
Tonopah, Nevada 89049

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is issued subject to the final determination of litigation pending in the United States District Court for the District of Nevada styled United States of America vs. Francis Leo Cappaert, et al., Civil - LV, 1687.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.7 cubic feet per second but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before November 12, 1976

Proof of commencement of work shall be filed before December 12, 1976

Work must be prosecuted with reasonable diligence and be completed on or before November 12, 1977

Proof of completion of work shall be filed before December 12, 1977

Application of water to beneficial use shall be made on or before November 12, 1980

Proof of the application of water to beneficial use shall be filed on or before December 12, 1980

Map in support of proof of beneficial use shall be filed on or before December 12, 1980

Commencement of work filed \_\_\_\_\_  
 Completion of work filed \_\_\_\_\_  
 Proof of beneficial use filed \_\_\_\_\_  
 Cultural map filed \_\_\_\_\_  
 Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_  
 Recorded \_\_\_\_\_ Bk \_\_\_\_\_ Page \_\_\_\_\_  
 \_\_\_\_\_ County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD,  
 State Engineer of Nevada, have hereunto set my hand and the seal of  
 my office, this 12th day of May,

A.D. 19 76

CANCELLED

MAR 21 1978

BECAUSE OF CANCELLATION

OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT